

Remarks

Claims 1 through 3, 7 through 12 and 18 through 20 were rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 6,302,331 to Dvorsky et al. (hereinafter the '331 patent). Claims 13 through 17 were rejected under 35 U.S.C. 103(a) as being unpatentable over the '331 patent. Claim 22 was rejected under 35 U.S.C. 103(a) as being unpatentable over the '331 patent in view of US Patent 4,962,885 to Coffee (hereinafter the '885 patent). Claims 23 through 26 were rejected under 35 U.S.C. 103(a) as being unpatentable over the '331 patent in view of US Patent 5,064,123 to Aiello et al. (hereinafter the '123 patent).

Claims 6, 21 and 27 were objected to as being dependent upon a rejected base claim, but were found to be allowable if rewritten in independent form to include the limitations of the base claim and any intervening claims.

Claims 29 and 30 were found to be allowable. The Applicants note with appreciation the Examiner's indication of the allowable subject matter recited therein.

In an Advisory Action mailed on April 21, 2010, the Examiner indicated that the Applicants' response filed on April 5, 2010 would not be entered on the ground that it contained errors in the newly-added claims that would necessitate additional consideration. The present RCE is in response to both the November 4, 2009 Office Action and the April 21, 2010 Advisory Action.

By the present response, the Applicants have amended dependent claim 6 to include all of the limitations from independent claim 1 from which it originally depended. The claims that originally depended from claim 1 (or any intervening claims) have been amended to depend from amended claim 6 rather than claim 1.

In a similar manner, the Applicants have amended dependent claim 21 to include all of the limitations from independent claim 1 from which it originally depended. A set of dependent

Serial No. 10/541,681
Docket No. 13891 US

claims 45 through 62 that are generally parallel to the dependent claims discussed in the previous paragraph have been added to depend from amended claim 21.

Likewise, the Applicants have amended dependent claim 27 to include all of the limitations from independent claim 26 from which it originally depended.

Furthermore, claims 18 through 20 and 22 that previously depended on claim 6 for the recitation to the shroud limitation have been amended to depend instead from claim 28 in order to provide proper antecedent basis. Likewise, claim 38 that previously failed to provide antecedent basis for the shroud recitation has been moved renumbered as claim 38 to now depend from earlier claim 42, which is renumbered in the present response as claim 38. As such, all of the previous deficiencies identified by the Examiner in the

Lastly, the Applicants have reintroduced new dependent claims 31 through 44 that depend from claim 29. Of these, new dependent claims 32 through 44 substantially mimic existing dependent claims 2, 7 through 11, 22 through 25, as well as new claims 61 and 62, while new dependent claim 31 substantially mimics the recitation in claim 6 pertaining to numerous fluid spray sites with arrays of different geometric shapes and orientations. Because all of these new claims are substantially similar to claims previously considered by the Examiner, and because they all depend from allowed claim 29, the Applicants respectfully submit that they neither introduce new matter nor require additional searching. Furthermore, these claims have been corrected relative to the ones submitted in the April 5, 2010 response in order to overcome the Examiner's concern that they lacked antecedent basis concerns discussed in the previous paragraph.

As stated on page 1⁴ of this paper, the Applicants previously included payment for the new claims 31 through 62, including the addition of claim 21 in independent format. Because the Examiner indicated in numbered paragraph 21 of the November 4, 2009 Office Action that each of claims 6, 21 and 27 discussed in the previous three paragraphs would be allowable if rewritten in independent form including all of the limitations of the base claim and any

Serial No. 10/541,681
Docket No. 13891 US

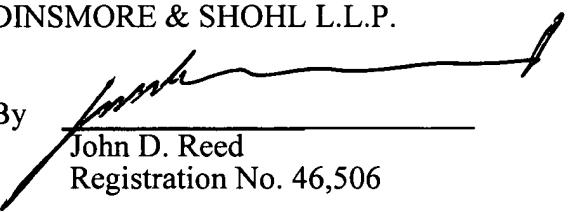
intervening claims, the Applicants submit that the present amendments conforming to the Examiner's indication are entitled to a finding of allowance by the Examiner, as are all of the new claims that depend from these now-allowable independent claims.

The Examiner is encouraged to contact the undersigned to resolve efficiently any formal matters or to discuss any aspects of the application or of this response. Otherwise, early notification of allowable subject matter is respectfully solicited.

Respectfully submitted,

DINSMORE & SHOHL L.L.P.

By


John D. Reed
Registration No. 46,506

Fifth Third Center
One South Main Street, Suite 1300
Dayton, Ohio 45402-2023
Telephone: (937) 449-6453
Facsimile: (937) 449-6405

JDR/dp

244516_1